

1                                   A bill to be entitled  
 2           An act relating to ethics requirements for officers  
 3           and employees of special tax districts; amending s.  
 4           112.313, F.S.; specifying that certain conduct by  
 5           certain public officers and employees is deemed a  
 6           conflict of interest; amending s. 112.3142, F.S.;  
 7           requiring certain ethics training for elected local  
 8           officers of independent special districts beginning on  
 9           a specified date; specifying requirements for such  
 10          training; providing an effective date.

11  
 12 Be It Enacted by the Legislature of the State of Florida:

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 14           Section 1. Subsection (7) of section 112.313, Florida  
 15 Statutes, is amended to read:

16           112.313 Standards of conduct for public officers,  
 17 employees of agencies, and local government attorneys.—

18           (7) CONFLICTING EMPLOYMENT OR CONTRACTUAL RELATIONSHIP.—

19           (a) No public officer or employee of an agency shall have  
 20 or hold any employment or contractual relationship with any  
 21 business entity or any agency which is subject to the regulation  
 22 of, or is doing business with, an agency of which he or she is  
 23 an officer or employee, excluding those organizations and their  
 24 officers who, when acting in their official capacity, enter into  
 25 or negotiate a collective bargaining contract with the state or

26 any municipality, county, or other political subdivision of the  
 27 state; nor shall an officer or employee of an agency have or  
 28 hold any employment or contractual relationship that will create  
 29 a continuing or frequently recurring conflict between his or her  
 30 private interests and the performance of his or her public  
 31 duties or that would impede the full and faithful discharge of  
 32 his or her public duties.

33 1. When the agency referred to is that certain kind of  
 34 special tax district created by general or special law and is  
 35 limited specifically to constructing, maintaining, managing, and  
 36 financing improvements in the land area over which the agency  
 37 has jurisdiction, or when the agency has been organized pursuant  
 38 to chapter 298, then employment with, or entering into a  
 39 contractual relationship with, such business entity by a public  
 40 officer or employee of such agency is ~~shall not be~~ prohibited by  
 41 this subsection or be deemed a conflict per se. However, conduct  
 42 by such officer or employee that is prohibited by, or otherwise  
 43 frustrates the intent of, this section, including conduct that  
 44 violates subsections (6) and (8), is ~~shall be~~ deemed a conflict  
 45 of interest in violation of the standards of conduct set forth  
 46 by this section.

47 2. When the agency referred to is a legislative body and  
 48 the regulatory power over the business entity resides in another  
 49 agency, or when the regulatory power which the legislative body  
 50 exercises over the business entity or agency is strictly through

51 | the enactment of laws or ordinances, then employment or a  
 52 | contractual relationship with such business entity by a public  
 53 | officer or employee of a legislative body shall not be  
 54 | prohibited by this subsection or be deemed a conflict.

55 | (b) This subsection shall not prohibit a public officer or  
 56 | employee from practicing in a particular profession or  
 57 | occupation when such practice by persons holding such public  
 58 | office or employment is required or permitted by law or  
 59 | ordinance.

60 | Section 2. Paragraphs (d) and (e) of subsection (2) of  
 61 | section 112.3142, Florida Statutes, are redesignated as  
 62 | paragraphs (e) and (f), respectively, present paragraph (e) of  
 63 | that subsection is amended, and a new paragraph (d) is added to  
 64 | that subsection, to read:

65 | 112.3142 Ethics training for specified constitutional  
 66 | officers, elected municipal officers, ~~and~~ commissioners of  
 67 | community redevelopment agencies, and elected local officers of  
 68 | independent special districts.-

69 | (2)

70 | (d) Beginning January 1, 2024, each elected local officer  
 71 | of an independent special district, as defined in s. 189.012,  
 72 | and each person who is appointed to fill a vacancy for an  
 73 | unexpired term of such elective office must complete 4 hours of  
 74 | ethics training each calendar year which addresses, at a  
 75 | minimum, s. 8, Art. II of the State Constitution, the Code of

76 Ethics for Public Officers and Employees, and the public records  
 77 and public meetings laws of this state. This requirement may be  
 78 satisfied by completion of a continuing legal education class or  
 79 other continuing professional education class, seminar, or  
 80 presentation, if the required subject matter is covered by such  
 81 class, seminar, or presentation.

82 (e) The Legislature intends that a constitutional officer  
 83 ~~or~~ elected municipal officer, or elected local officer of an  
 84 independent special district who is required to complete ethics  
 85 training pursuant to this section receive the required training  
 86 as close as possible to the date that he or she assumes office.  
 87 A constitutional officer, ~~or~~ elected municipal officer, or  
 88 elected local officer of an independent special district  
 89 assuming a new office or new term of office on or before March  
 90 31 must complete the annual training on or before December 31 of  
 91 the year in which the term of office began. A constitutional  
 92 officer, ~~or~~ elected municipal officer, or elected local officer  
 93 of an independent special district assuming a new office or new  
 94 term of office after March 31 is not required to complete ethics  
 95 training for the calendar year in which the term of office  
 96 began.

97 Section 3. This act shall take effect July 1, 2023.